

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 15 July 2024

**Public Authority:** Chief Constable of Thames Valley Police  
**Address:** Police Headquarters  
Oxford Road  
Kidlington  
Oxfordshire  
OX5 2NX

#### **Decision (including any steps ordered)**

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1. The complainant requested information relating to the release of information in connection with civil proceedings. Thames Valley Police refused to comply with the request, citing section 14(1) (vexatious request) of FOIA.
2. The Commissioner's decision is that the request is vexatious under section 14(1) of FOIA.
3. The Commissioner requires no steps to be taken as a result of this decision.

#### **Request and response**

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4. Following earlier correspondence, the complainant wrote to Thames Valley Police on 10 December 2023 and requested information in the following terms:

"I understand TVP [Thames Valley Police] does not, as a matter of course, automatically release information for the purposes of civil proceedings. However, TVP would like to assist where it is legally

possible for TVP to do so, and you suggest four options, which might be available to a requestor.

I ask to be provided:

1. The 4 options with any accompanying explanation, advice, guidance (or similar) provided to the requestor
  2. The date this disclosure procedure commenced
  3. Any guidance/instruction or similar provided to TVP staff about the procedure
  4. Any disclosure of the process, for example, to the insurance industry
  5. The consideration TVP gave to the disclosure that resulted in the '4 options' procedure".
5. Thames Valley Police responded on 16 January 2024. It provided information in scope of part 1 of the request and denied holding information in scope of parts 2-5.
  6. The complainant requested an internal review on the same day, 16 January 2024. They subsequently chased for a response on 13 March 2024.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 13 March 2024 to complain that Thames Valley Police had failed to conduct an internal review. They subsequently confirmed that they consider that Thames Valley Police failed to carry out an internal review and failed to address parts 2-5 inclusive of the request.
8. During the course of the Commissioner's investigation, Thames Valley Police advised that they had written to the complainant on 15 February 2024, citing section 14(1) (vexatious request) of FOIA in relation to a number of requests. They explained that the request under consideration in this case was included in that section 14 response.
9. The Commissioner has seen a copy of the correspondence. He acknowledges that it states:  
  
"[...] your requests on this subject have now engaged the Section 14(1) exemption under the Act".

10. The letter then goes on to list six requests, including the request in this case.
11. From the evidence he has seen, the Commissioner is satisfied that the complainant received, and responded to, this letter.
12. The Commissioner accepts that the 15 February 2024 letter does not state explicitly that it comprises a response to the complainant's request for an internal review, which they requested on 16 January 2024.
13. It is plausible, therefore, that the complainant may not have recognised the correspondence as an internal review of Thames Valley Police's handling of the request under consideration in this case. In any event, the complainant did not refer to this letter when they contacted the Commissioner on 13 March 2024 to complain about the public authority.
14. During the course of the Commissioner's investigation, Thames Valley Police confirmed its application of section 14(1) to the request.
15. In light of that confirmation, the analysis below considers Thames Valley Police's application of section 14(1) to the requested information.

## **Reasons for decision**

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### **Section 14 vexatious request**

16. Section 14(1) of FOIA states that a public authority is not obliged to comply with a request for information if the request is vexatious.
17. The word 'vexatious' is not defined in FOIA. However, as the Commissioner's guidance on section 14(1) states, it is established that section 14(1) is designed to protect public authorities by allowing them to refuse any requests which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.
18. In cases where a public authority is relying on section 14(1), it is for the public authority to demonstrate why it considers that a request is a disproportionate, manifestly unjustified, inappropriate or improper use of FOIA.

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<sup>1</sup> <https://ico.org.uk/for-organisations/dealing-with-vexatious-requests-section-14/>

19. The Commissioner has previously considered Thames Valley Police's application of section 14(1) to a different request for information from the same complainant. In that case, case reference IC-260971-P6N6, Thames Valley Police explained the nature of the interactions with the complainant and the impact this has on the public authority and its staff.
20. The Commissioner's decision in case reference IC-260971-P6N6<sup>2</sup> was that Thames Valley Police correctly applied section 14(1).
21. Having considered all the factors applicable to this case, the Commissioner is satisfied that the similarity between this case and IC-260971-P6N6 is such that he is able to reach the same decision without the need for further analysis.
22. The Commissioner considers that Thames Valley Police was entitled to rely on section 14(1) of FOIA to refuse the request because it was vexatious.

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<sup>2</sup> <https://ico.org.uk/media/action-weve-taken/decision-notice/2024/4028680/ic-260971-p6n6.pdf>

## Right of appeal

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23. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

24. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
25. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Michael Lea**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**